



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/11394

Our File Reference Number: Erf 941, Stellenbosch

Your Reference Number: 3669-P

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: Clifford@tv3.co.za

Sir

APPLICATION FOR DEPARTURE FROM THE ZONING SCHEME BY-LAW BUILDING LINES AS WELL AS THE TITLE DEED COVERAGE AND BUILDING LINES: ERF 941, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
 - 2.1 That the following applications in terms of the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, on Erf 941, Stellenbosch, namely:
 - 2.1.1 That the application made in terms of Section 15(2)(b) of the said by-law for a departure in order to relax the 2.5m Zoning Scheme By-law building line to 1,18m; and,
 - 2.1.2 The application made in terms of Section 15(2)(f) of the said by-law for the relaxation of the title deed restrictions in respect of a land unit in order to permit a coverage of 34.8% in lieu of 33.3% and to relax the title deed building line from 3.15m to 1.18m (See **ANNEXURE B**).

BE APPROVED in terms of Section 60 of the said Bylaw and subject to the following conditions of approval in terms of Section 66 of the said Bylaw:

3. Conditions of approval:

- 3.1 The approval applies only to the departure and title deed relaxations in question (See **ANNEXURE B**) and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council and external authorities.
- 3.2 That appropriate caution be taken during construction, to prevent damage to existing electrical equipment in the vicinity and should damage occur, the applicant will be liable for the cost involved repairing any damages to municipal services and infrastructure.
- 3.3 The approval will lapse if not implemented within 5 years from the date of final notification.
- 3.4 Building Plans be submitted for approval to this municipality prior to construction commencing on site.

4. The reasons for the above decision are as follows:

- 4.1 No municipal services will be impacted.
- 4.2 The existing dwelling and outbuilding has already been built 1.8m and from the properties boundary already.
- 4.3 The proposed "braai" /entertainment area as an extension to an existing lounge, behind an existing outbuilding, would not be visible from the street.
- 4.4 Sufficient landscaping exists to screen the proposed construction from surrounding properties and the street.
- 4.5 The proposed height of the construction, will not impact on any views of surrounding owners as it will still be single storey.

5. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, 2015, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

6. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

(a) The personal particulars of the Appellant, including:

- (I) First names and surname;
- (II) ID number;
- (III) Company of Legal person's name (if applicable)
- (IV) Physical Address;

- (V) Contact details, including a Cell number and E-Mail address;
- (b) Reference to this correspondence and the relevant property details on which the appeal is submitted.
- (c) The grounds of the appeal which may include the following grounds:
 - (i) that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000);
 - (ii) grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.
- (d) whether the appeal is lodged against the whole decision or a part of the decision;
- (e) if the appeal is lodged against a part of the decision, a description of the part;
- (f) if the appeal is lodged against a condition of approval, a description of the condition;
- (g) the factual or legal findings that the appellant relies on;
- (h) the relief sought by the appellant; and
- (i) any issue that the appellant wishes the Appeal Authority to consider in making its decision;
- (j) That the appeal includes the following declaration by the Appellant:
 - (i) The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
 - (ii) That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

7. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of E-mail at the following address: Landuse.appeals@ Stellenbosch.gov.za

8. An applicant who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
9. The approved tariff structure may be accessed and viewed on the municipal website (<https://www.stellenbosch.gov.za/documents/finance/rates-and-tariffs>) and the banking details for the General Account can also be accessed on the municipal website (<https://www.stellenbosch.gov.za/documents/general/8314-stellenbosch-municipality-banking-details-1/file>).
10. An applicant who lodge an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
11. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
12. Kindly note the above decision is suspended, and in the case of any approval, may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

13/4/2021
DATE:

ANNEXURE B

Building Plan



021 8600325

REGISTERED ARCHITECT
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010
No. 10010/2010

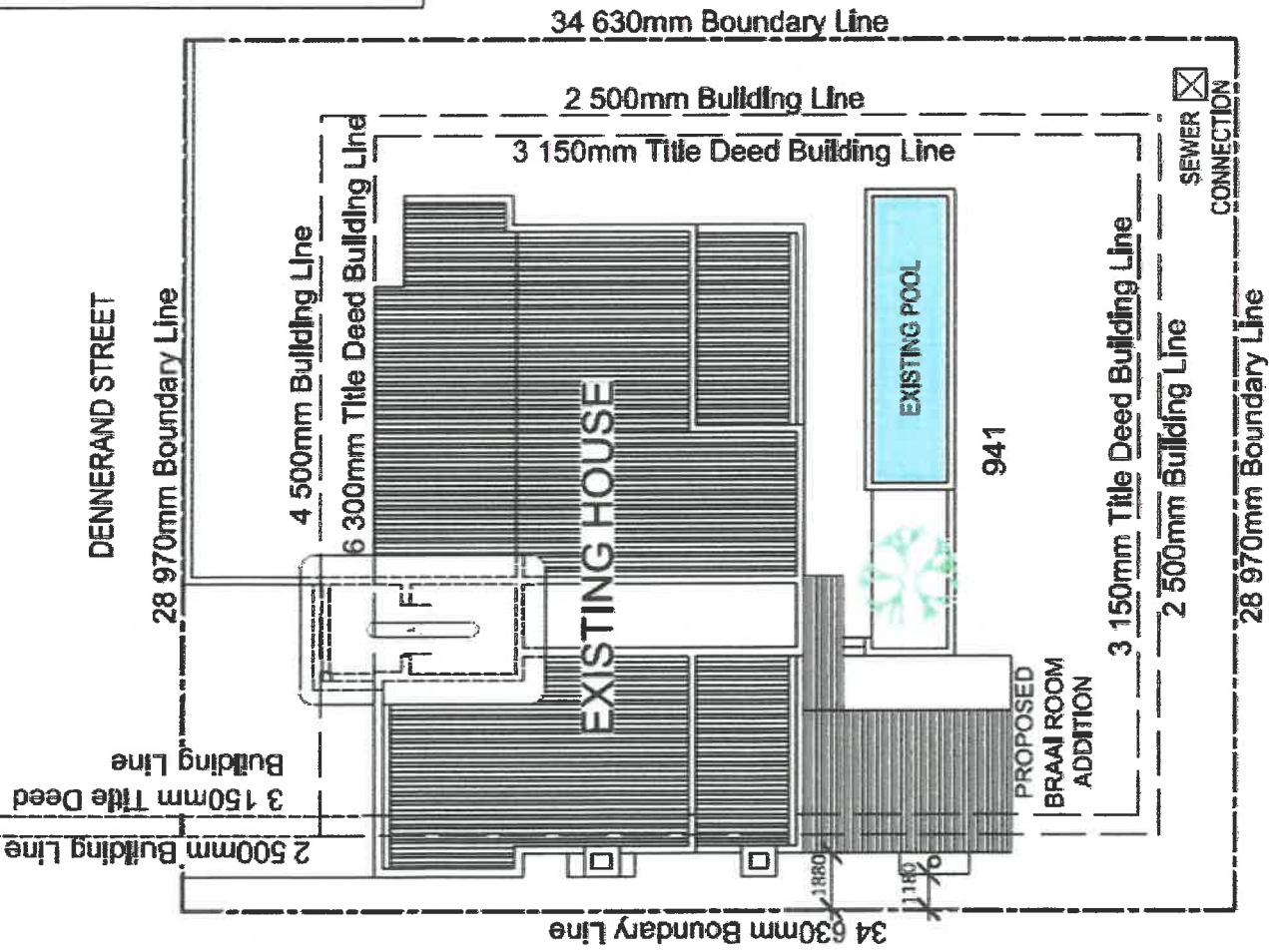
Scale: 1:1000

DENNERANDWEG 23
ERF 941 DALSIG
Stellenbosch
SHEKELAN

126/ A / 101

DATE	DESCRIPTION	BY
12/06/2020	REVISED	SB
12/06/2020	REVISED	MS

- SITE AREA 1003m²
- EXISTING COVERAGE AREA 310m²
- NEW COVERAGE AREA 38,7m²
- TOTAL COVERAGE AREA 348,7m²
- COVERAGE 34,8% (33,3% allowed)



GENERAL NOTES:
 ALL MATERIALS AND CONSTRUCTION METHODS TO COMPLY WITH THE NATIONAL BUILDING REGULATIONS ACT No 103 OF 1977 INCLUDING ALL REVISIONS AND ALL APPLICABLE BYLAWS OF THE CONCERNED LOCAL AUTHORITY.
 ALL DIMENSIONS TO BE VERIFIED ON SITE AND NO DRAWING IS TO BE SCALED.
 ANY DISCREPANCIES OR CONTRADICTIONS MUST IMMEDIATELY BE POINTED OUT TO THE ARCHITECT FOR CORRECTIONS OR EXPLANATIONS BEFORE ANY CONSTRUCTION PROCEEDS.

Revisions:

DENNERANDWEG 23

Dalsig

Stellenbosch
 6527 041
 Braai/Patio/Outdoor
BRAAI PATIO & IMAGES

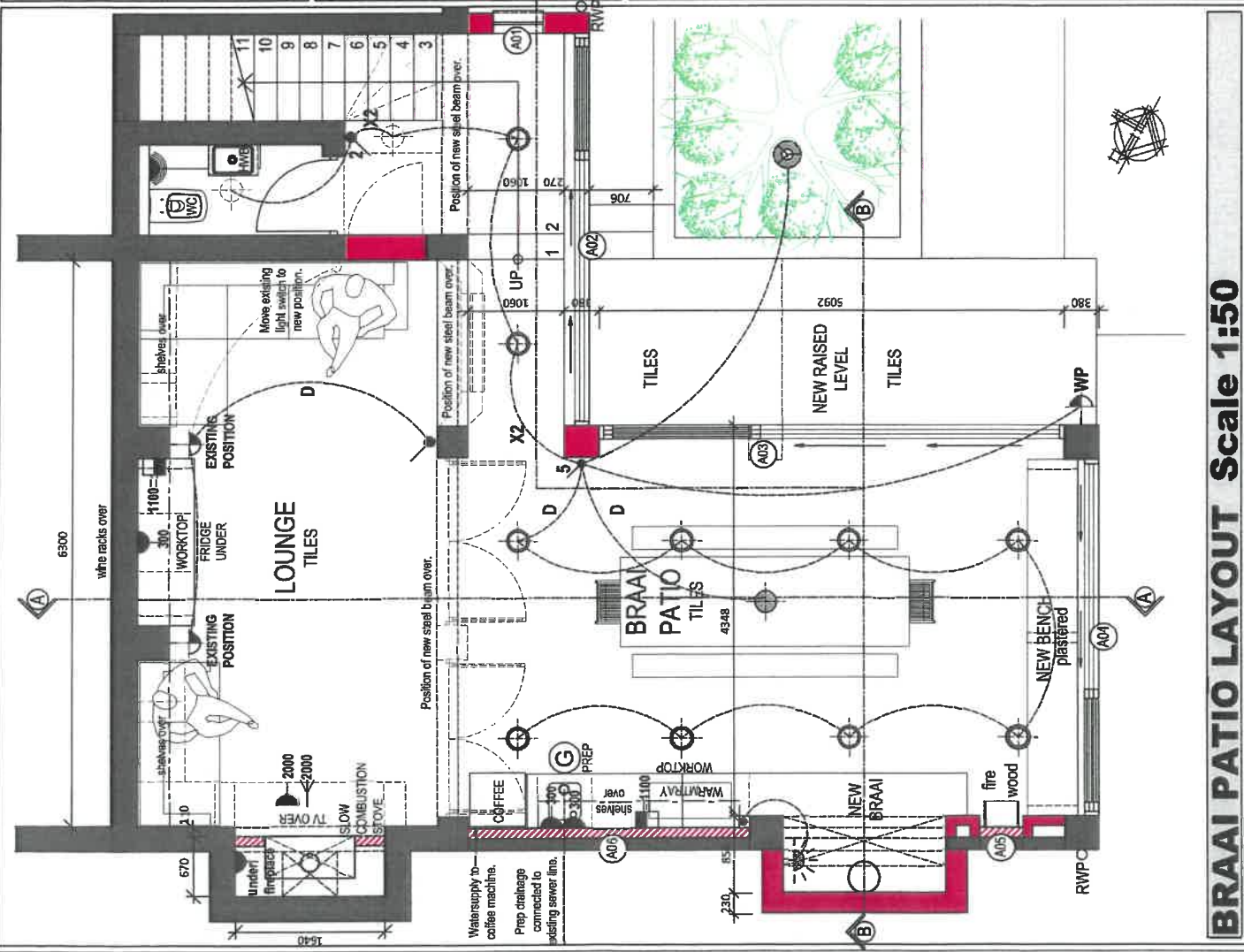
Taking No/ Drawing No

126 / D / 201

Date/Date	Drawn/Drawn	Welding/Revision
MRT 2020	SE	03
Drawn/Drawn	Checked	
1:50	HB	



ELECTRICAL LEGEND	
2 / 3	SWITCH @ 1100
X2	TWO WAY CIRCUIT
D	DIMMABLE CIRCUIT
Light symbol	WALL MOUNTED LIGHT FITTING
Light symbol	LED RECESSED SNIVEL DOWN LIGHTS
Light symbol	MAIN PENDANT TYPE LIGHT FITTING
Light symbol	WATER PROOF WALL MOUNTED LIGHT FITTING @ INDICATED HEIGHT
Light symbol	BRAAI LIGHT
Light symbol	1x3 PIN SOCKET @ 300mm
Light symbol	COMBO @ 1100 (1 X 2 PIN, 1 X 3 PIN & 1 X USB SOCKET)
Light symbol	EXISTING TV POINT TO BE RELOCATED
Light symbol	ISOLATOR SWITCH (geyser) @ 300mm
Light symbol	UNDER COUNTER HOT WATER CYLINDER
Light symbol	EXISTING LIGHT POSITION
Light symbol	MOTION SENSOR
Light symbol	GARDEN BOLLARD



BRAAI PATIO LAYOUT Scale 1:50